

UNITED STATES DISTRICT COURT

for the
Western District of WashingtonIn the Matter of the Tracking of
(Identify the person to be tracked or describe
the object or property to be used for tracking)A 2018 blue Honda Civic bearing Washington license
plate BKM2969, as described in Attachment A-1

Case No. MJ22-258

APPLICATION FOR A TRACKING WARRANT

I, a federal law enforcement officer or attorney for the government, have reason to believe that the person, property, or object described above has been and likely will continue to be involved in one or more violations of

21 U.S.C §§ 841 & 846. Therefore, in furtherance of a criminal investigation, I request authority to install and use a tracking device or use the tracking capabilities of the property or object described above to determine location. The application is based on the facts set forth on the attached sheet.

- ☒ The person, property, or object is located in this district.
- ☐ The activity in this district relates to domestic or international terrorism.
- ☐ The person, property, or object is not now located in this district, but will be at the time of execution.
- ☐ Other:

The tracking will likely reveal these bases for the warrant under Fed. R. Crim. P. 41(c): (check one or more)

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

☒ I further request, for purposes of installing, maintaining or removing the tracking device, authority to enter the following vehicle or private property, or both:

A 2018 blue Honda Civic bearing Washington license plate BKM2969, as described in Attachment A-1

☒ Delayed notice of 90 days (give exact ending date if more than 30 days: 09/07/2022) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.Pursuant to Fed. R. Crim. P. 4.1, this warrant is presented: ☒ by reliable electronic means ☐ telephonically recorded.
Applicant's signature

Kenneth Richardson, Special Agent

Applicant's printed name and title

- ☐ The foregoing affidavit was sworn to before me and signed in my presence, or
- ☒ The above-named agent provided a sworn statement attesting to the truth of the foregoing affidavit by telephone.

Date: 06/09/2022

City and state: Seattle, Washington


Judge's signature

Michelle L. Peterson, United States Magistrate Judge

Printed name and title

[illegible]

INTRODUCTION

1. I make this affidavit in support of an Application to obtain tracking warrants for the following target vehicles used by ENOC MARTINEZ LOPEZ (“MARTINEZ”) and his associate MANUEL GARCIA MUÑOZ, who are being investigated for their involvement in the Martinez drug trafficking organization (collectively “the **Target Vehicles**”):

a. **Target Vehicle 3:** a 2018 blue Honda Civic bearing Washington license plate BKM2969 (hereinafter, “**Target Vehicle 3**”). According to the DOL **Target Vehicle 3** is registered to RICARDO GARCIA CRUZ at 1400 N 30th Street, Trailer 2 in Mount Vernon, Washington. Investigators believe that **Target Vehicle 3** is being used by GARCIA MUÑOZ to facilitate drug trafficking activities.

b. **Target Vehicle 4:** a 2017 white BMW 540 sedan, bearing Washington temporary tag A5216028 and Vehicle Identification Number WBAJE7C31HG890402 (hereinafter “**Target Vehicle 4**”), registered to “Anjelica Lopez Villesca” at 6225 84th Place Northeast in Marysville, Washington. Investigators believe that **Target Vehicle 4** is being used by MARTINEZ to facilitate drug trafficking activities.

2. Based on the facts set forth in this affidavit, there is probable cause to believe that violations of Title 21 of the United States Code have been committed, are being committed, and will be committed by MARTINEZ and other members of the MARTINEZ drug trafficking organization. There is also probable cause to believe that

1 the **Target Vehicles** are being used in furtherance of these crimes and that the vehicles
2 whereabouts over time will constitute evidence of those criminal violations. Obtaining
3 the information sought in this Affidavit is necessary to further the investigation into these
4 offenses.

5 **AGENT BACKGROUND**

6 3. I am a Special Agent with the Drug Enforcement Administration ("DEA"),
7 currently assigned to the Bellingham Resident Office in Bellingham, Washington. I have
8 been employed as a DEA Special Agent since 2009 and am assigned to investigate drug
9 trafficking organizations operating in the Western District of Washington.

10 4. My duties and experience as a Special Agent include the enforcement of
11 federal criminal statutes, including statutes related to drug offenses, firearm offenses,
12 money laundering offenses, and other criminal offenses. As a Special Agent of the DEA,
13 I am authorized by law to conduct investigations, execute search warrants, and make
14 arrests for federal felony offenses.

15 5. I have completed the DEA Basic Agent Training program at the DEA
16 Academy in Quantico, Virginia. I have participated in numerous narcotics investigations
17 at both the local and federal level, and I have participated in the execution of local and
18 federal search warrants. As a result, I have become familiar with methods of operation of
19 drug traffickers and organizations. As a Special Agent with the DEA, I have the
20 responsibility of working with other federal and state law enforcement officers in
21 investigations of violations of federal and state-controlled substance laws, including the
22 trafficking and distribution of cocaine, methamphetamine, heroin, fentanyl, marijuana,
23 and other dangerous drugs.

24 **SOURCES OF INFORMATION**

25 6. I participated in the investigation described in this affidavit since 2021. I
26 obtained the facts set forth in this affidavit through personal participation in the
27 investigation described below, from oral and written reports of other law enforcement
28 officers, from records, documents and other evidence obtained during this investigation,

1 and from confidential sources and sources of information who are associated with, and
2 knowledgeable about, the subjects of this investigation and their confederates. I have
3 obtained and read official reports prepared by various law enforcement officers
4 participating in this investigation and in the other related investigations by agencies
5 referenced in this affidavit.

6 7. When this affidavit refers to vehicle ownership, either I or other agents¹
7 involved in the investigation reviewed the relevant state vehicle records from the DOL.
8 Similarly, when this affidavit refers to identification documents, either I or other agents
9 involved in the investigation reviewed the relevant driver's license or similar records
10 maintained by DOL. When this affidavit refers to the criminal history of a subject, either
11 I or other agents involved in the investigation reviewed the available criminal history
12 from state or federal agencies. When this affidavit refers to telephone subscription
13 records, either I or other agents involved in the investigation reviewed the subscriber
14 records obtained from the telephone company by administrative subpoena or court order,
15 or I obtained the information from other law enforcement officers familiar with this
16 investigation. When this affidavit refers to beliefs or conclusions of investigators, these
17 beliefs and conclusions are based on the collective training and experience of the agents
18 involved in this investigation.

19 8. Since this affidavit is submitted for the limited purpose of securing
20 authorization for search warrants on the Target Vehicles, I have not included every fact
21 known concerning this investigation. I have set forth the facts that I believe are necessary
22 for a fair determination of probable cause for the requested search warrants.

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26 ¹ When I use the term "agents" or "investigators" throughout the affidavit, I am referring to law enforcement
27 personnel, including, but not limited to DEA and HSI agents and task force officers, Skagit County Sheriff's Office
28 Deputies, members of the Skagit County Interlocal Drug Enforcement Unit, as well as personnel associated with
those and other state and federal law enforcement agencies.

SUMMARY OF PROBABLE CAUSE

9. As explained further below, the United States, including the DEA, is conducting a criminal investigation regarding possible violations of 21 U.S.C. 841, 846 in Skagit County, Whatcom County and elsewhere. During the investigation, investigators identified MARTINEZ as a primary source of supply of cocaine. Investigators have surveilled **Target Vehicle 3**, driven by GARCIA MUÑOZ, and **Target Vehicle 4**, driven by MARTINEZ, and seen both MARTINEZ and GARCIA MUÑOZ engage in behavior consistent with drug trafficking while using the **Target Vehicles**. During the course of the investigation, law enforcement officers in California stopped one of MARTINEZ's other vehicles, a Toyota Tacoma (Target Vehicle 1), and recovered three pounds of cocaine. By tracking other Target Vehicles in this investigation, law enforcement has been able to identify patterns of travel, likely locations where drug sales are occurring, and has identified other drug dealers who appear to be connected to the MARTINEZ organization. Investigators previously obtained a tracking warrant for **Target Vehicle 3** but were then unable to locate it within the allocated timeframe for installation. Recently, investigators saw that MARTINEZ had stopped using a black BMW (Target Vehicle 2) and began using **Target Vehicle 4** instead. This is the second tracking warrant application for **Target Vehicle 3** and the first for **Target Vehicle 4**.

PROBABLE CAUSE

Training and Experience Regarding Drug Trafficking Organization

10. I have interviewed numerous drug dealers, drug users, and knowledgeable confidential sources about the lifestyles, appearances, and habits of drug dealers and users. I have become familiar with the manner in which narcotics traffickers smuggle, package, transport, store, and distribute narcotics, as well as how they collect, conceal, and launder drug proceeds. I am also familiar with the manner in which narcotics traffickers use telephones, cellular telephone technology, internet, telephonic and computer applications, coded communications, slang-filled conversations, false and fictitious identities, and other means to facilitate their illegal activities and mislead law

1 enforcement investigations. I have observed and have had discussions with other law
2 enforcement personnel about the packaging and preparation of narcotics, the methods of
3 illegal narcotics traffickers, and the security measures that narcotics traffickers often
4 employ. I have examined narcotics customers' supplier lists, pay/owe ledgers maintained
5 by traffickers, and other documentation related to narcotics trafficking. I have also
6 examined documentation of various methods by which cocaine, methamphetamine,
7 heroin, fentanyl, marijuana, and other illicit drugs are smuggled, transported, and
8 distributed. I have participated in numerous hours of surveillance of narcotics traffickers.
9 During surveillance, I have personally observed narcotics transactions, counter
10 surveillance techniques, and the ways in which narcotics traffickers conduct clandestine
11 meetings. Acting in an undercover capacity, I have acquired dangerous drugs from drug
12 traffickers and learned about methods in thwarting law enforcement officers while
13 trafficking drugs. I have participated in numerous investigations involving the
14 interception of wire and electronic communications. I have been involved with the review
15 and decoding of veiled intercepted conversations between narcotics traffickers that were
16 subsequently substantiated. Throughout my career in law enforcement, I have received
17 training from, worked with, spoken with, and gleaned knowledge from several
18 experienced federal, state, local, and international narcotics officers concerning the use of
19 cell phones and mobile applications by drug traffickers to facilitate drug trafficking.
20 Based on that training and experience, and my communication with other law
21 enforcement officers, I know the following:

22 a. Drug trafficking conspiracies usually take place over several months
23 or years, and continue to operate even when enforcement activity results in arrests and/or
24 seizures of drugs and/or money;

25 b. Persons involved in the distribution of controlled substances
26 typically will obtain and distribute drugs on a regular basis, much as a distributor of a
27 legal commodity would purchase stock for sale. Similarly, such drug dealers will
28

1 maintain an inventory which may fluctuate in size depending on the demand for and
2 available supply of the product.

3 c. Those involved in the distribution of illicit drugs often travel by car
4 in connection with their illegal activities in order to meet with coconspirators, conduct
5 drug transactions, or to transport drugs or drug proceeds.

6 *SCIDEU Begins Investigating the MARTINEZ DTO*

7 11. Investigators from the Skagit County Interlocal Drug Enforcement Unit
8 (“SCIDEU”) began investigating the MARTINEZ Drug Trafficking Organization in early
9 2021. Skagit County detectives learned that MARTINEZ is a source of supply for
10 kilogram-quantities of cocaine throughout northwestern Washington. As detectives
11 conducted surveillance, they learned that MARTINEZ was connected with known mid-
12 level cocaine traffickers. By mid-2021, detectives concluded that MARTINEZ was
13 associated with approximately 15 known drug traffickers. Throughout their investigation,
14 SCIDEU has been using a variety of investigative processes to identify members and
15 associates of the MARTINEZ Organization to track their movements, to locate possible
16 locations of stash houses, and to otherwise further this investigation. Most relevant to this
17 application, SCIDEU obtained vehicle trackers for a Toyota Tacoma bearing Washington
18 License Plate C88437V (“the Tacoma” and/or “Target Vehicle 1”) and a black BMW
19 bearing Washington License Plate CAK1127 (“the black BMW” and/or “Target Vehicle
20 2”), and by monitoring the vehicles’ movements were able to begin to identify
21 individuals who appeared to be supplied with drugs by the MARTINEZ organization. In
22 addition to the SCIDEU tracking warrants, DEA has also obtained federal tracking
23 warrants for Target Vehicles 1 and 2. They obtained a federal tracking warrant for
24 **Target Vehicle 3** but were unable to install the tracker.

25 *Cocaine Recovered from Target Vehicle 1 during Traffic Stop in California*

26 12. During summer of 2021, Skagit detectives installed a court-authorized GPS
27 tracker on the Tacoma. During surveillance, detectives saw MARTINEZ driving to
28 addresses of known drug traffickers. In August 2021, detectives were alerted that the

1 Tacoma had travelled south to California. Detectives believed that MARTINEZ arranged
2 for another person to drive the Tacoma to pick up drugs or to drop off money in
3 California. The Tacoma traveled to the El Monte area of Los Angeles before beginning to
4 drive northbound. Law enforcement officers from Manteca, California, at the request of
5 Homeland Security Investigations (“HSI”), stopped the Tacoma in Manteca. The driver
6 of the Tacoma provided a false identity, though officers later learned through fingerprint
7 records that the driver was SANTIAGO ROBLES TEJADA. A narcotics K9 was on
8 scene and alerted to the presence of a controlled substance in the Tacoma. Officers
9 searched the Tacoma and located and seized approximately three pounds of cocaine that
10 was vacuumed-sealed and wrapped in duct tape and layers of grease and plastic. The
11 Manteca officers also conducted a search warrant on ROBLES TEJADA’S cell phone.
12 Investigators found Spanish language text messages indicating that ROBLES TEJADA
13 was in contact with phone number 360-488-6007. Subscriber records from T-Mobile
14 indicated that, at the time of the text messages, phone number 360-488-6007 was
15 subscribed to ENOC MARTINEZ at 1628 N 26th Street, Apartment 205, in Mount
16 Vernon, Washington. In addition, ROBLES TEJADA was also texting a contact listed as
17 “QUINTERO” on phone number 206-880-8763. The two had numerous text messages
18 appearing to use coded language to discuss drug quantity and pricing. After the traffic
19 stop, detectives learned that the registered owner of the Tacoma, Anjelica VILLESICA
20 LOPEZ, wife of MARTINEZ, retrieved the Tacoma from Manteca police. Shortly
21 thereafter, detectives saw the Tacoma parked in the Skagit Valley College public parking
22 lot directly across the street from the apartment where MARTINEZ was living. Not long
23 after, MARTINEZ began to drive the Tacoma and resumed his regular meetings with
24 known drug traffickers. Skagit County detectives again requested GPS tracking warrants
25 to monitor this vehicle and other vehicles operated by MARTINEZ.

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1 *CS-2 Identifies MARTINEZ with the Tacoma at a House with Large Quantities of Drugs*
 2 13. In December 2021, agents interviewed a cooperating source (“CS-2”)²
 3 regarding drug trafficking activities of an individual named MARC OREIRO
 4 (“OREIRO”). CS-2 informed agents that he/she saw a Hispanic male at OREIRO’s house
 5 on or about November 27, 2021. Agents showed CS-2 a DOL photograph of
 6 MARTINEZ and a picture of the Tacoma. After reviewing the photographs, CS-2
 7 confirmed that the Tacoma and MARTINEZ were the individual and vehicle the CS had
 8 seen at OREIRO’s house. Agents reviewed the tracker information for the Tacoma and
 9 confirmed the Tacoma had previously visited OREIRO’s residence on multiple occasions
 10 in the fall of 2021, including on November 27. CS-2 also stated that while at OREIRO’s
 11 house on November 27, he/she observed what appeared to be three gallon-sized zippered
 12 bags of crystal methamphetamine, three smaller ounce-size bags of cocaine, and several
 13 bags of pills.

14 *During Surveillance, Agents See MARTINEZ in the Tacoma Engaging in Behavior*
 15 *Consistent with Drug Dealing*

16 14. On January 12, 2022, while conducting surveillance of the Tacoma, agents
 17 watched the Tacoma arrive and briefly park behind a white Subaru station wagon. The
 18 driver of the Subaru, later identified as RYAN TOLLIVER, walked to the passenger side
 19 of the Tacoma, retrieved something from inside the cab, and walked back to the Subaru.
 20 The Tacoma left the parking lot and went back to MARTINEZ’s apartment. On the next
 21 day, January 13, agents were again positioned in the same parking area. The Subaru again
 22 arrived and parked in the lot, with the driver remaining inside the vehicle. Shortly
 23 thereafter, the Tacoma arrived and briefly parked behind the same white Subaru station
 24 wagon. This time, agents could see inside the cab of the Tacoma and noted that

26
 27 ² CS-2 began working for the law enforcement in October 2021 and continues to work to this day. CS-2 is working
 28 in exchange for money. CS-2 has provided credible and reliable information that has been subsequently
 corroborated by law enforcement. CS-2 has convictions for misdemeanor DUI (1996); misdemeanor domestic
 violence (1998); felony burglary (1998); felony theft (2000); misdemeanor theft (2007).

1 MARTINEZ was driving. TOLLIVER walked from his Subaru to the passenger side of
2 the Tacoma and retrieved something from the passenger seat while MARTINEZ
3 remained at the driver's side. TOLLIVER put that item in his left front pocket and
4 returned to his Subaru. The Tacoma returned to park in front of MARTINEZ's apartment.
5 HSI agents watched as MARTINEZ left the Tacoma and walked up the stairs towards his
6 apartment. These short meetings between MARTINEZ and TOLLIVER are consistent
7 with meeting to transfer controlled substances in public areas.

8 15. On January 29, 2022, agents were again conducting surveillance of the
9 MARTINEZ. Agents followed MARTINEZ to the residence of an individual named
10 FERNANDO ESPINOZA. A confidential source (CS-1)³ had previously told law
11 enforcement that MARTINEZ and ESPINOZA were associates and frequently visited
12 each other's residences. When MARTINEZ left ESPINOZA's house, agents loosely
13 followed the Tacoma, but remained several minutes behind in an attempt to avoid
14 counter-surveillance. Agents eventually found the Tacoma at a parking spot of a Chevron
15 gas station at 2323 E Section in Mount Vernon. Agents noted that the Tacoma appeared
16 to be idling with two persons inside the vehicle: a driver (believed to be MARTINEZ)
17 and another person in the passenger side. Shortly thereafter, a young person wearing a red
18 hoodie sweatshirt exited the passenger door of the Tacoma and entered the passenger side
19 of a gray Kia compact sedan, and shortly thereafter the Kia left the Chevron with the
20 person in the red hoodie as a passenger. MARTINEZ then drove to a Skagit County
21 landfill and recycling station, to other businesses, and then returned to ESPINOZA's
22 residence. The short duration of the unknown person entering the Tacoma's passenger
23 side and then exiting and leaving the lot without any of the parties going into one of the
24
25

26
27 ³ CS-1 began working with Skagit County in mid-2020 and continues to work to this day. CS-1 is a self-admitted
28 drug user and former drug dealer who is working in exchange for consideration related to uncharged conduct
involving drug distribution. CS-1 has provided credible and reliable information that has been subsequently
corroborated by law enforcement in this and other investigations. CS-1 has no criminal history

1 businesses at the Chevron's convenience store center is consistent with meeting to
2 transfer controlled substances in public areas.

3 *Agents See the BMW Drive to the Residence of a Known Cocaine and Methamphetamine*
4 *Dealer in Bellingham*

5 16. On January 12, 2022, agents observed the BMW parked in the driving lane
6 directly in front of the stairwell leading to MARTINEZ's apartment at 1628 North 26th
7 Street in Mount Vernon. Later that morning, agents observed the BMW travelling to a
8 mobile home park at 1400 North 30th Street in Mount Vernon. Agents followed the
9 BMW from the mobile home park back to the public parking area at Skagit Valley
10 College, parking next to the Tacoma, and noted that the BMW was now occupied by
11 multiple people, including a front passenger wearing a baseball cap. As explained in
12 paragraph 17 below, agents later identified the passenger with the baseball cap as
13 MANUEL GARCIA MUÑOZ. From there, the BMW left the parking lot and the Tacoma
14 went to MARTINEZ's apartment building. Agents believed that MARTINEZ had driven
15 the BMW to the mobile home park, picked up GARCIA MUÑOZ, then drove back to the
16 public parking lot. MARTINEZ then drove the Tacoma to his apartment GARCIA
17 MUÑOZ, driving the BMW, began to engage in movement patterns consistent with the
18 delivery of controlled substances. From there, agents watched the BMW as it drove
19 around Mount Vernon and then drove approximately 30 miles north to the Morning
20 Glory Motel at 3750 Meridian Street in Bellingham, Washington. The BMW parked on
21 the west-side of the parking lot. Agents know that an individual named ROBERT
22 MAINE ABELL has lived at the Morning Glory Motel at various times throughout 2021
23 and 2022. ABELL is an individual known by law enforcement to sell cocaine and
24 methamphetamine.⁴ No agents were able to observe the occupants of the BMW meeting
25

26 ⁴ In June 2021 investigators conducting surveillance on MARTINEZ and saw him drive the Tacoma to a Best
27 Western in Bellingham. He entered the hotel carrying a bag and left shortly thereafter, driving a way in the Tacoma.
28 Also shortly thereafter, investigators saw ABELL leave the hotel. Investigators then executed a search warrant at
ABELL's hotel room and recovered approximately 2 ounces of cocaine and just under one pound of
methamphetamine along with distribution paraphernalia.

1 with anyone from the Morning Glory Motel, however, shortly thereafter the BMW
2 departed the Morning Glory Hotel and drove approximately 30 miles south back to
3 Mount Vernon. Detectives were positioned in Mount Vernon and captured a photograph
4 of the driver, described as a Hispanic male adult wearing a baseball cap.

5 *The BMW Drives to the Residence of a Known Drug Trafficker*

6 17. On January 25, 2022, agents established surveillance of the BMW and
7 followed it to a rural area on the Lummi Reservation. At that time, agents knew that the
8 BMW had previously visited an address associated with an individual named
9 RAYMOND RIDLEY near 3655 Lummi Shore Drive in Bellingham. Agents followed
10 the BMW until it was near the entrance of 3655 Lummi Shore Drive, at which time they
11 were unable to continue following the BMW without alerting the driver of the BMW or
12 RIDLEY of their presence. Agents notified the Lummi Police Department about the
13 vehicle arriving at RIDLEY's residence. At that time, Lummi Police Department officers
14 were conducting routine speed checks on Lummi Shore Drive. Shortly after being
15 notified of the BMW's arrival near RIDLEY's property, officers saw the BMW driving
16 northbound along Lummi Shore Drive, measured the speed of the BMW, and determined
17 that it was speeding. Lummi PD officers stopped the BMW and the driver provided a
18 Washington State driver's license bearing the name MANUEL GARCIA MUÑOZ and
19 the address 1400 N 30th Street, Trailer 2, in Mount Vernon. This is the same mobile
20 home park where MARTINEZ picked up an unknown male to later drive the BMW on
21 January 12, 2022. Agents compared GARCIA MUÑOZ's driver's license photograph and
22 the body camera screenshot of the driver of the BMW and determined this was the same
23 person with the baseball hat who Skagit detectives photographed driving the BMW on
24 January 12, 2022, after it went to the Morning Glory Motel.

25 18. On January 27, 2022, agents again conducted surveillance of the BMW.
26 This time, agents utilized aerial observation in conjunction with ground surveillance.
27 Agents followed the BMW to 3655 Lummi Shore Drive in Bellingham, where aerial
28 observation captured video of the driver of the BMW retrieving something from the trunk

1 of the BMW and handing that item, what appeared to be a clear plastic bag, to a male
 2 adult who then walked back to a trailer which had been previously associated with
 3 RIDLEY. Agents continued surveillance of the BMW and saw the driver, who they
 4 identified as GARCIA MUÑOZ, briefly meet with several people throughout Whatcom
 5 and Skagit Counties before returning to a residential property located at 210 South 18th
 6 Street, in Mount Vernon.

7 *DEA Installs GPS Tracking Devices*

8 19. On February 11, 2022, the Honorable S. Kate Vaughan issued a warrant
 9 authorizing the installation and use of tracking devices on the Tacoma and the BMW.
 10 Pursuant to that warrant, trackers were installed shortly thereafter. On March 25, 2022,
 11 the Honorable Brian A. Tsuchida issued a second warrant authorizing the installation and
 12 use of tracking devices on both vehicles. On May 9, 2022, the Honorable Michelle L.
 13 Peterson issued a third warrant authorizing the installation and use of tracking devices on
 14 both vehicles. While monitoring the movement of the vehicles via the tracking device and
 15 in-person surveillance, agents confirmed several pieces of information valuable to this
 16 investigation:

- 17 • Both MARTINEZ and GARCIA MUÑOZ drive the Tacoma;
- 18 • GARCIA MUÑOZ continues to drive the Tacoma in patterns consistent with a
 19 “runner,” that is, someone making quick visits to deliver or pick up drugs or cash;
- 20 • That the Tacoma continues to meet with TOLLIVER for short periods of time
 21 consistent with delivering or picking up drugs or cash.
- 22 • SHELIA ROCHELLE JOHNSON and BREZEDDRIC ANTOWYN
 23 JAMERSON, individuals known to be involved in drug distribution in Whatcom
 24 County, appear to be connected to the MARTINEZ organization;⁵

25
 26
 27 ⁵ Shelia JOHNSON has felony drug convictions in Whatcom County in 2005, 2008, and was arrested in 2020 for
 28 felony controlled substance homicide. Brezeddrick JAMERSON has felony drug convictions in Oregon in 1998,
 2002 and in Whatcom County in 2008, 2011, 2014, 2019 and was arrested in 2020 for felony controlled substance
 homicide.

- 1 • MARTINEZ continues to visit OREIRO's residence;
- 2 • The BMW visits MICHAEL LAMM, a known drug dealer;⁶
- 3 • The BMW engages in counter-surveillance measures;
- 4 • The BMW visits the Tulalip Resort Casino, a location at which MARTINEZ has
- 5 discussed conducting drug sales.

6 20. This information was determined based on the following information,
 7 which was gained via the GPS tracking device as well as in-person surveillance.

8 *The BMW is Driven by GARCIA MUÑOZ, Meets with TOLLIVER, Meets with Other*
 9 *Known Drug Dealers*

10 a. On February 16, 2022, agents saw the BMW, believed to be driven
 11 by GARCIA MUÑOZ, depart GARCIA MUÑOZ's residence on 18th Street in Mount
 12 Vernon. Investigators followed the BMW to the corner of North 26th Street and Kulshan
 13 Avenue, a location where MARTINEZ had previously met with TOLLIVER. They saw
 14 an unknown male standing next to the front passenger door of the BMW and stay for a
 15 short time before leaving and getting into the front passenger side of a Volkswagen
 16 compact sedan bearing Washington license plate BBT1251 ("the Volkswagen"). Agents
 17 followed the Volkswagen, took photographs of the vehicle occupants, and after reviewing
 18 the photos, determined that the passenger who briefly met with the driver of the BMW
 19 was TOLLIVER. Later, on February 23, 2022, agents observed the Volkswagen parked
 20 next to TOLLIVER's Subaru at TOLLIVER's residence in Bellingham.

21 b. On February 16, 2022, agents saw the BMW arrive at GARCIA
 22 MUÑOZ's residence on 18th Street. Shortly thereafter, a white Cadillac sedan with no
 23 license plate arrived and parked at the residence. Agents had previously seen a white
 24 Cadillac sedan with no license plate at the residence of SHELIA ROCHELLE JOHNSON
 25 and BREZEDDRIC ANTOWYN JAMERSON on Oregon Place in Bellingham.
 26 JOHNSON and JAMERSON are known drug traffickers. Later in February 2022, the

27
 28 ⁶ Michael LAMM has felony drug convictions in Oregon in 2005 and in Whatcom County in 2015.

1 sedan with no license plate and determined that the vehicle was stolen. During a
2 subsequent inventory search, LPD found small amounts of cocaine.

3 c. On or about March 6, 2022, MARTINEZ was released from the
4 Skagit County Community Justice Center, where he had been in custody on a charge of
5 driving under the influence. Throughout March 2022, the BMW was parked both at
6 MARTINEZ' residence and at the residence of GARCIA MUÑOZ, among other
7 locations.

8 d. On or about March 20th at approximately 2:00 a.m., the BMW drove
9 27 miles to a convenience store in Bellingham located less than one mile from
10 TOLLIVER's residence. Due to the time of day and the numerous other convenience
11 stores between MARTINEZ's residence in Mount Vernon and Bellingham, agents
12 believe this travel was likely a delivery or pickup of drugs or money.

13 *The Tacoma Returns to OREIRO's Residence; Visits a Known Drug Dealer; Engages in*
14 *Counter-Surveillance Measures; Visits the Tulalip Resort Casino; Driven during a Sale*
15 *of 1,000 M30 Pills*

16 e. In the evening of March 9, 2022, the Tacoma drove to OREIRO's
17 residence on Robertson Road in Bellingham, where CS-2 had previously seen
18 MARTINEZ in the Tacoma with methamphetamine, cocaine, and pills.

19 f. On March 14, 2022, the Tacoma drove from MARTINEZ's
20 residence to a rural residence on Guide Meridian Road in Lynden, Washington. Agents
21 established surveillance in the vicinity and saw the Tacoma driving southbound on Guide
22 Meridian Road into Bellingham until it parked at the Bellis Inn located at 3710 Meridian
23 Street in Bellingham. Agents saw MARTINEZ walk from the Tacoma into the Bellis Inn,
24 which is located next door to the Morning Glory Motel to which the Tacoma had driven
25 in January. Agents believe that MICHAEL LAMM lives at the Bellis Inn. Agents know
26 from reviewing Pen Register Trap and Trace data that both MARTINEZ and GARCIA
27 MUÑOZ are in communication with LAMM. LAMM is known by law enforcement in
28 Whatcom County to be a drug dealer who sells multiple types of drugs.

1 g. When MARTINEZ left the Bellis Inn he drove one block to a dental
2 clinic, got out of the Tacoma, walked toward the dental clinic, stopped at the front door,
3 turn around, returned to the Tacoma and drove away. Agents believe that MARTINEZ
4 was conducting counter-surveillance measures in an attempt to detect the presence of law
5 enforcement.

6 h. Later that same day, the Tacoma drove to the Tulalip Resort Casino
7 on the Tulalip Reservation. Agents know that this is a common location for people to
8 meet and sell drugs, and that MARTINEZ has appeared to have conducted a drug
9 transaction there in the past. On or around October 24, 2021, user "highlife.1993" on
10 Snapchat, a mobile messaging application, sent a message to an account believed to be
11 used by MARTINEZ that said, "He said he'd go to the Tulalip Casino to meet you if you
12 want ... for 2000 of 'em," likely discussing the sale of 2,000 fentanyl-laced pills. Agents
13 reviewed GPS tracking data from a tracking device installed on the Tacoma pursuant to a
14 state warrant and saw that the Tacoma had gone to the Tulalip Resort Casino a few days
15 after the Snapchat communication, on or about October 27, 2021.

16 i. In the early hours of March 16, 2022, GPS tracking data indicated
17 that the Tacoma drove back to OREIRO's residence on Robertson Road in Bellingham.

18 j. On April 18, 2022, investigators saw an individual who would later
19 agree to work with law enforcement ("CS-3")⁷ meet with MARTINEZ at the Silver Reef
20 Casino in Ferndale, Washington. Investigators saw CS-3 and MARTINEZ travel to a gas
21 station in the Tacoma and return to the Silver Reef Casino; MARTINEZ then dropped off
22 CS-3 and left the area. Investigators maintained constant surveillance of CS-3 until CS-3
23 was arrested later that day with approximately 1,000 pills M30 pills, a loaded firearm,
24 and small quantities of suspected powdered fentanyl, suspected heroin and suspected
25 cocaine. CS-3 told law enforcement that he/she obtained the pills from an individual,
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27
28 ⁷ CS-3 has prior felony convictions for a controlled substance violations, residential burglary, and taking a motor vehicle without permission. CS-3 is working in exchange for charges related to the April 18 arrest not being filed.

1 known to CS-3 as “V,” earlier in the day, whom CS-3 met at the casino. CS-3 stated that
 2 “V’s” phone number was stored in CS-3’s phone under the contact name “Mex Man,”
 3 and when law enforcement searched CS-3’s phone they saw that the number is one
 4 known to be used by MARTINEZ. CS-3 stated that MARTINEZ had access to kilogram
 5 quantities of pills, pound quantities of methamphetamine, and multiple ounce quantities
 6 of cocaine.

7 k. Beginning on or about April 22, 2022, tracking data showed that the
 8 Tacoma had been regularly going to and on one occasion stayed overnight at an address
 9 believed to be associated with family members of LOPEZ VILLESICA: 6225 84th Place
 10 Northeast in Marysville, as well as at a townhome located at FF105 Gregory’s Landing
 11 Lane in Marysville. The tracking data also indicated that the black BMW also went to
 12 and stayed overnight at the aforementioned address beginning on or about April 30, 2022.
 13 Agents continued tracking the vehicles and saw that, in early May 2022, vehicles
 14 regularly controlled by MARTINEZ-LOPEZ no longer parked at the Skagit Valley
 15 College parking lot or at his former residence at 1628 North 26th Street in Mt. Vernon.

16 *GARCIA MUÑOZ Uses **Target Vehicle 3***

17 21. Once MARTINEZ was released from the Skagit Valley Community Justice
 18 Center and appeared to reclaim use of both the Tacoma and the BMW; investigators
 19 conducting surveillance of GARCIA MUÑOZ began to see him frequently driving
 20 **Target Vehicle 3**, including the following occasions:

21 a. On March 30, 2022, investigators saw GARCIA MUÑOZ drive
 22 **Target Vehicle 3** and meet with MARTINEZ, who drove the BMW, at a taqueria. After,
 23 both vehicles drove to MARTINEZ’s 26th Street apartment, where both GARCIA
 24 MUÑOZ and MARTINEZ walked up the stairs leading to MARTINEZ’s apartment.
 25 After, GARCIA MUÑOZ descended the stairs with a blue backpack with white spots and
 26 drove **Target Vehicle 3** across the street to the Skagit Valley College parking lot.
 27 MARTINEZ then drove the BMW to the parking lot and met GARCIA MUÑOZ there
 28 near where the Tacoma was parked.

b. On April 4, 2022, investigators saw GARCIA MUÑOZ walk from his house on 18th Street to **Target Vehicle 3** and retrieve a blue backpack with white spots from the rear hatch area of the car before returning to his house. After comparing surveillance photographs, agents believe this is the same bag that GARCIA MUÑOZ carried out of MARTINEZ's apartment on March 30th. An hour later, GARCIA MUÑOZ walked to the Tacoma carrying the same blue backpack with white spots, moved the Tacoma to the right side of the driveway, got into **Target Vehicle 3** (without the blue backpack), then drove away in **Target Vehicle 3**.

c. On April 5, 2022, investigators saw GARCIA MUÑOZ arrive at his house on 18th Street in **Target Vehicle 3**. He walked to and entered the house. Almost an hour later, GARCIA MUÑOZ walked from the residence to **Target Vehicle 3**, retrieved the blue backpack from the rear hatch area and returned to the house.

22. On May 9, 2022, the Honorable Michelle L. Peterson issued a warrant authorizing the installation and monitoring of a tracking device on **Target Vehicle 3**. In the days following, DEA attempted to locate the vehicle but were unable to do so.

MARTINEZ Appears to Stop Using Target Vehicle 2 and Begins Using Target Vehicle 4

23. On May 16, 2022, agents saw four vehicles parked in the driveway of a residence at 6225 84th Place Northeast in Marysville. When MARTINEZ's vehicles ceased being parked near the North 26th Street apartment building in Mt. Vernon, investigators began to see them more frequently at the 84th Place address in Marysville, indicating that perhaps MARTINEZ had moved there. The four vehicles seen on May 16 included the Tacoma, the black BMW, a black Lexus bearing Washington license plate BSU8484 and registered to MARTINEZ, and **Target Vehicle 4**.

24. On May 17, 2022, agents again observed the Lexus (BSU8484), the Tacoma, and **Target Vehicle 4** parked in the 84th Place driveway. They saw MARTINEZ walk from the front door of the residence to his Tacoma, retrieve something from the front passenger seat and then walk to the rear passenger door of **Target Vehicle 4** before returning to the residence. A short time later, MARTINEZ got into **Target**

1 **Vehicle 4** and drove to the Gregory's Landing townhome, retrieved three to four
 2 shoeboxes from the trunk of **Target Vehicle 4**, and carried them to the front door area of
 3 the townhome before returning to **Target Vehicle 4** and driving away. Agents followed
 4 MARTINEZ to the roadway directly in front of his former apartment at 1628 N 16th
 5 Street, remained at a distance due to MARTINEZ's history of counter-surveillance
 6 efforts. A short time later, **Target Vehicle 4** drove to a fast-food restaurant on East
 7 College Way in Mt. Vernon, then to a residence at 210 S 20th Street in Mt. Vernon, a row
 8 of single-level apartments behind a four-car garage. There agents saw a man,
 9 approximately 5'10" with a thick build, wearing a black beanie hat, a gray patterned t-
 10 shirt, and jeans, walk to, open, and sit inside the passenger front seat of **Target Vehicle 4**
 11 and close the door. After a few minutes the man opened the front passenger door and
 12 exited the vehicle with his left hand inside of his front pocket. The man then entered the
 13 210 S 20th Street address and **Target Vehicle 4** drove away. Agents **Target Vehicle 4**
 14 through town until it departed, driving south bound toward Marysville. Agents believe
 15 that MARTINEZ just sold drugs to this unknown man.

16 *Agents Find Target Vehicle 3; See Target Vehicle 4 Deliver A Shoebox of Cash*

17 25. On June 2, 2022, agents conducting surveillance at the Gregory's Landing
 18 Lane townhome saw **Target Vehicle 3** arrive at the residence. GARCIA MUÑOZ got out
 19 of **Target Vehicle 3**, manually lifted the garage door, stepped inside the garage, and
 20 closed the door. A few hours later, agents conducting surveillance at the 84th Place
 21 residence saw MARTINEZ get into **Target Vehicle 4**, which was parked at the
 22 residence, and drive away. Agents followed **Target Vehicle 4** and saw it arrive at the
 23 Gregory's Landing Lane Townhome and MARTINEZ enter the residence carrying a
 24 water bottle and a black Nike backpack. About an hour and a half later, MARTINEZ left
 25 the residence with a black shoe box with the letters "BOSS" on the side and top, and
 26 carrying what appeared to be the same Nike backpack he had earlier. He placed the shoe
 27 box on the front passenger seat of **Target Vehicle 4** and the backpack on the rear
 28 passenger seat and drove away. Agents followed **Target Vehicle 4** to a grocery store

1 parking lot, where it parked next to a green Mini Cooper with Washington license plate
 2 BXE7471. Agents ultimately identified the driver of the Mini Cooper as ARMANDO
 3 PATINO, and the passenger as BRAULIO ANTONIO GARDUNO. MARTINEZ took
 4 the “BOSS” shoebox from the front passenger seat of **Target Vehicle 4** and handed it to
 5 PATINO before returning to **Target Vehicle 4** and driving away. As the Mini Cooper
 6 drove away from the grocery store parking lot, it was stopped by Marysville Police
 7 Department Officer Brad Smith at the request of the DEA. Officer Smith’s K9 partner
 8 Steele, who is trained to detect the presence of narcotics and certified by the State of
 9 Washington, walked around the vehicle and alerted to the presence of narcotics. At the
 10 request of the DEA, Marysville PD called for a tow and the Mini Cooper was brought to
 11 a Marysville PD precinct parking lot where the DEA searched it. As a result of that
 12 search, DEA found that the “BOSS” shoebox contained \$29,020.00 in cash. They also
 13 found and seized two cellular phones and some receipts.

14 CONCLUSION

15 26. As explained above, previously obtained tracking information has helped
 16 law enforcement confirm roles of members of the MARTINEZ organization, confirm
 17 patterns of travel and locations where drug sales may be occurring, and identified new
 18 individuals associated with the organization. I therefore respectfully submit there is
 19 probable cause to believe that MARTINEZ and others are using the **Target Vehicles** in
 20 furtherance of drug trafficking, including violations of Title 21 of the United States Code.
 21 Installing a tracking device and obtaining real time GPS tracking data on the location of
 22 the Target Vehicles is necessary and appropriate to aid the investigation of this drug
 23 trafficking organization. This Application is part of an ongoing investigation into the
 24 MARTINEZ organization and its associates, both known and unknown. “Real time” GPS
 25 data on the Target Vehicles used by MARTINEZ and others would assist investigators in
 26 identifying MARTINEZ’s associates, their residences, and possibly any stash locations
 27 used by MARTINEZ. Investigators would be able to easily locate MARTINEZ in order
 28 to conduct surveillance of MARTINEZ, which could lead to identifying other co-

1 conspirators and/or sources of supply. Accordingly, there is probable cause to believe that
2 tracking this vehicle will reveal evidence, fruits, and instrumentalities of Title 21, United
3 States Code, Sections 841, 846, and 843(b).

4 27. I respectfully request that the Court issue a warrant authorizing members of
5 the DEA, or their authorized representatives, including but not limited to other law
6 enforcement agents and technicians assisting in the above-described investigation, to
7 install a tracking device in or on the Target Vehicles within the Western District of
8 Washington within 10 days of the issuance of the requested warrant, and to remove said
9 tracking device from the suspect vehicles after the use of tracking devices has ended; to
10 surreptitiously enter the following locations where the Target Vehicles may be parked
11 and/or move the Target Vehicles to effect the installation, repair, replacement, and
12 removal of the tracking device; and to monitor the tracking device, for a period of 45
13 days following the issuance of the warrant, including when the tracking device is inside
14 private garages and other locations not open to the public or visual surveillance, both
15 within and outside the Western District of Washington, namely:

16 a. The driveway or street in front of 6225 84th Place Northeast
17 in Marysville, Washington, a private residence; and

18 b. The driveway or street in front of FF105 Gregory's Landing
19 Lane in Marysville, Washington, a private residence.

20 28. I further request, pursuant to 18 U.S.C. § 3103a(b) and Federal Rule of
21 Criminal Procedure 41(f)(3), that the Court authorize the officer executing the warrant to
22 delay notice until 90 days after the collection authorized by the warrant has been
23 completed. This delay is justified because there is reasonable cause to believe that
24 providing immediate notification of the warrant may have an adverse result, as defined in
25 18 U.S.C. § 2705. Providing immediate notice to the person using the Target Vehicles
26 would seriously jeopardize the ongoing investigation, as such a disclosure would give
27 that person an opportunity to destroy evidence, change patterns of behavior, notify
28 confederates, and flee from prosecution. *See* 18 U.S.C. § 3103a(b)(1). There is reasonable

1 necessity for the use of the technique described above, for the reasons set forth above.
 2 See 18 U.S.C. § 3103a(b)(2). Additionally, if necessary, I may request that the Court,
 3 upon a showing of good cause, order a further delay of the time permitted to serve notice,
 4 if necessary to protect the safety of any individual, avoid flight or destruction of
 5 evidence, and ensure that the investigation is not jeopardized prior to its completion.

6 29. I further request that the Court authorize execution of the warrant (i.e.,
 7 installation, monitoring, and removal) at any time of day or night, owing to the potential
 8 need to locate the Target Vehicles outside of daytime hours.

9 30. I further request that the Court order that all papers in support of this
 10 application, including the Affidavit and Tracking Warrant, be sealed until further order of
 11 the Court. These documents discuss an ongoing criminal investigation that is neither
 12 public nor known to all of the targets of the investigation. Accordingly, there is good
 13 cause to seal these documents because their premature disclosure may seriously
 14 jeopardize that investigation.



Kenneth Richardson
 Special Agent
 Drug Enforcement Administration

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 20 The above-named agent provided a sworn statement to the truth of the foregoing
 21 affidavit by telephone on the 9th day of June, 2022.



THE HON. MICHELLE L. PETERSON
 United States Magistrate Judge

ATTACHMENT A-1

This warrant shall authorize agents with the Drug Enforcement Administration and other law enforcement agents/officers/technicians working with them, to place an autonomous GPS tracking device on the vehicle described below (“the **Target Vehicle**”):

a. **Target Vehicle 3:** 2018 blue Honda Civic bearing Washington license plate BKM2969. According to the DOL, the blue Civic is registered to RICARDO GARCIA CRUZ at 1400 N 30th Street, Trailer 2 in Mount Vernon, Washington. Investigators believe that the blue Civic is being used by GARCIA MUÑOZ to facilitate drug trafficking activities.

Agents are authorized to:

a. install, remove, monitor, repair, or adjust an electronic tracking device on or within the vehicle at any time of the day or night;

b. if necessary to protect the safety of persons installing, removing, monitoring, repairing, or adjusting the electronic tracking device, or to protect the integrity of the investigation, surreptitiously enter the subject vehicle at any time of the day or night, and move the subject vehicle from one location to another for the purpose of installing, removing, monitoring, repairing, or adjusting the device;

c. surreptitiously re-enter the subject vehicle at any time of the day or night, for the purpose of installing, removing, monitoring repairing, or adjusting the device;

d. continuously monitor any and all signals emitted from the device, including when the vehicle enters any structure or private property in which there may be a reasonable expectation of privacy; and

e. move one or more tracker back and forth between Target Vehicles during the authorized tracking period as surveillance suggests would be most productive, with “execution” of the warrant having been accomplished if at least one tracker is installed on one **Target Vehicles** within ten days of issuance of the warrant.

1 **Private Property**

2 In addition to entering the **Target Vehicle**, Agents may surreptitiously enter all
3 driveways, roadways, parking areas (including any enclosed garage structure), and other
4 places where the **Target Vehicle** may be parked at the following locations, in order to
5 access the above-described vehicle pursuant to the warrant, at any time of the day or
6 night:

7 a. The driveway or street in front of 6225 84th Place Northeast in
8 Marysville, Washington;

9 b. The driveway or street in front of FF105 Gregory's Landing Lane in
10 Marysville, Washington.

11 This authorization continues in any jurisdiction where the **Target Vehicle** may move for
12 a period not to exceed forty-five (45) days.
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